

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

LUIS F. GONZALEZ COLON
MARILYN RODRIGUEZ RIOS

14-00873-BKT

CHAPTER 13

DEBTOR(S)

TRUSTEE'S MOTION TO DISMISS

TO THE HONORABLE COURT:

Comes now Alejandro Oliveras Rivera, Chapter 13 Trustee and respectfully states and prays:

1. The meeting of creditors was held 5-1-14. The current proposed plan is dated 4-9-14.
2. Debtor(s) failed to comply with the Bankruptcy Code, as follows:
 - a. Plan needs to be amended to comply with the following: sufficiency to pay priorities, and eliminate direct payment to BMW.
 - b. Debtors need to amend schedule "J" for the following: include rental payment to Manuel Alvarado and provide copy of lease, include education costs for the 4 dependents listed at said schedule, and to include office expenses.
 - c. Debtors need to include interest over vehicle Dodge Caravan at schedule "B" used and paid by joint debtor. Also, to provide evidence of lien and pay off balance. Debtors also to list interest in corporation.
 - d. The following documents need to be submitted: evidence of filing federal tax returns for yrs. 2010 & 2013, DSO information (Mrs. Maribel Aponte Colon), evidence of DSO post-petition payments, evidence of income for Mr. Gonzalez (paystub for January 30, 2014 with Dept. of Education), IVU cert. for professional counseling, evidence of income for professional counseling, (as to this matter it's requested that debtor provide a statement under penalty of perjury and that the same provides a disclosure of all the income received on a monthly basis for the 6 mos. period prior to filing and February 2014), provide copy of contract with Janet Nieves &

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Lorraine Morales.

- e. Debtors need to list attorney Angel Trina Lopez as a creditor and file an application for special counsel. Also, debtors need to inform how and who will paid the balance owed to this attorney.
 - f. Debtors need to address with the court missing "wet signature" on schedules, SOFA and SCMI and should file the above-mentioned documents again with the "wet signature" and request that the signature be considered retroactive to the filing date on 2-7-14.
 - g. Debtor to provide bank statements for 1 yr. from personal and corporate account, Oriental Bank account.
3. No extension of time or justification for failing to comply with the above has been filed.
4. Debtor(s) is(are) not a member(s) of the U.S. Armed Forces, the Coast Guard, the Public Health Service or the National Oceanic and Atmospheric Administration, as evidenced by the Certificate issued by the U.S. Department of Defense, copy of which is attached only to the original of this motion and movant's copy.

WHEREFORE, for the reasons stated above it is respectfully requested from the Court to enter an order dismissing the present case pursuant to 11 U.S.C §521 and/or §1325 of the Bankruptcy Code.

30 DAY NOTICE TO ALL CREDITORS AND PARTIES IN INTEREST: Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the clerk's office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE: I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sent a notification of such filing to all those who in this

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case have registered for receipt of notice by electronic mail. I further certify that I have served to the U.S. Trustee, ustpreion21.hr.ecf@usdoj.gov and by depositing true and exact copies thereof in the United States Mail, postage prepaid, to the non CM/ECF participants: debtor(s) the mailing address of record.

RESPECTFULLY SUBMITTED in San Juan, Puerto Rico this, MAY 15 2014

/s/ Alejandro Oliveras Rivera
ALEJANDRO OLIVERAS RIVERA
CHAPTER 13 TRUSTEE
P.O. Box 9024062
San Juan, PR 00902-4062
Tel. 977-3500 Fax 977-3521

SCRA 3.0



Status Report Pursuant to Servicemembers Civil Relief Act

Last Name: GONZALEZ COLON

First Name: LUIS

Middle Name:

Active Duty Status As Of: May-14-2014

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Mary M. Snavelly-Dixon

Mary M. Snavelly-Dixon, Director
 Department of Defense - Manpower Data Center
 4800 Mark Center Drive, Suite 04E25
 Arlington, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 501 et seq. as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenseink.mil" URL: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Certificate ID: T9BAA30A30AE230



Status Report Pursuant to Servicemembers Civil Relief Act

Last Name: RODRIGUEZ RIOS

First Name: MARILYN

Middle Name:

Active Duty Status As Of: May-14-2014

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

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NA	NA	No	NA
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NA	NA	No	NA
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Certificate ID: 29DAQ39AG0AE730